APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/575,283	05/22/2000	Christopher P. Bergh	10844-002001	1521

			EXAMINER
21323	7590	08/11/2004	STIMPAK, JOHNNA

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ART UNIT	PAPER NUMBER
3623	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/575,283	BERGH ET AL.
	Examiner	Art Unit	
	Johnna R Stimpak	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 April 2004*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   The following is a non-final office action upon examination of application

number 09/575,283. Claims 1-28 are pending and have been examined on the merits

discussed below.

Response to Arguments

2.   Applicant's arguments with respect to claims 1-28 have been considered but are

moot in view of the new ground(s) of rejection. Specifically, applicant argues that the

Anderson reference does not teach global or distinct sets of rules used to delegate

customer leads. Examiner has clarified the rejections from the previous office action to

make clear how the Anderson reference reads on the claims.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-28 are rejected under **35 U.S.C. 103(a)** as being unpatentable over

Anderson et al, U.S. Patent Number 6,078,892.

As per **claim 1**, Anderson et al teaches configuring lead processing system

including accepting a specification of a plurality of users of the system (column 2, lines

54-59 – the agent submits preferences of the type of customer requested), and accepting

specifications of a plurality of rules that includes a set of global rules and for at least

some of the users of the system distinct sets of rules associated with each of said users

(column 6, line 59 thru column 7, line 8 – global rules include a an initial set of rules which all leads go through to determine demographic data, data describing the nature of a customer's business; column 7, lines 53-65 – distinct rules include a second step wherein the leads are delegated to an agent based upon his/her own specified rules such as product of interest, or preferences such as age range, location, sex, etc); and routing leads through the system including accepting a first lead at the lead processing system, including accepting values for each of a plurality of data fields associated with said lead (column 3, lines 17-39 – the customer leads are matched to the agent based on customer information and preferences set by the agent; column 7 – customer descriptive information is used to match the agent with the appropriate customer to pursue, this can be based on location, age, sex, type of business, etc.).

Anderson et al does not explicitly teach hierarchically routing a first lead to a second user after applying the first set of rules associated with the first user. Examiner takes official notice that it is old and well known to one of ordinary skill in the art that once a lead is "passed on" it should be put back into the system wherein it is ultimately delegated to a second user based on his/her own set of distinct rules. For example, if the first user specifies an age range between 30 and 50, a lead with a customer, age 65, will be passed on by the first user and routed to a second user who may specify an age range of 50-70, where the lead will be delegated to that second user. It would have been obvious to route the customer lead through the system to several users until it ultimately matches the rules set forth by the user so each an every lead would be pursued, resulting in a more efficient lead routing system.

As per **claim 2**, Anderson et al teaches routing the leads through the system further includes receiving a response from the second user related to the disposition of the lead (column 8, lines 49-67 – when the user accepts the lead, the additional customer information which was previously withheld is output). Anderson et al does not explicitly teach a second user being involved in the process. However, it would have been obvious to one of ordinary skill that the customer leads not selected would be routed back through the system or left in the system for distribution to the next (second) agent. This would be beneficial in that the lead would stay within the system for selection as opposed to not being selected and discarded from the system. This would cut down the time it would take to distribute customer leads through the system to each of the agents, thereby making the system more efficient.

As per **claim 3**, Anderson et al teaches receiving a response from the user includes receiving an acceptance of the lead (column 8, lines 49-67 – when the user accepts the lead, the additional customer information which was previously withheld is output). Anderson et al does not explicitly teach a second user being involved in the process. However, it would have been obvious to one of ordinary skill that the customer leads not selected would be routed back through the system or left in the system for distribution to the next (second) agent. This would be beneficial in that the lead would stay within the system for selection as opposed to not being selected and discarded from the system. This would cut down the time it would take to distribute customer leads through the system to each of the agents, thereby making the system more efficient.

As per **claim 4**, Anderson et al teaches notifying the user of the lead includes withholding values of one or more data fields associated with the lead from the second

user, and wherein routing the leads further includes, after receiving the acceptance of the lead, providing the withheld values (column 8, lines 49-67 and column 9, lines 1-5 – the initial customer information is output with a minimum amount of information, once the customer is selected, the additional information is output). Anderson et al does not explicitly teach a second user being involved in the process. However, it would have been obvious to one of ordinary skill that the customer leads not selected would be routed back through the system or left in the system for distribution to the next (second) agent. This would be beneficial in that the lead would stay within the system for selection as opposed to not being selected and discarded from the system. This would cut down the time it would take to distribute customer leads through the system to each of the agents, thereby making the system more efficient.

As per **claim 5**, Anderson et al teaches the user selecting (or not selecting) to pursue the customer lead. Anderson et al does not specifically teach routing the leads through the system further includes automatically re-routing the lead to another of the users of the system. While Anderson et al does not explicitly teach routing the lead to another user upon rejection of the lead, it would have been obvious to one of ordinary skill that the customer leads not selected would be routed back through the system or left in the system for selection by the next agent. This would be beneficial for the agent in that the lead would stay within the system for selection as opposed to not being selected and discarded from the system. This would cut down the time it would take to distribute customer leads through the system to each of the agents, thereby making the system more efficient.

As per **claim 6,** Anderson et al teaches routing the leads through the system further includes after expiration of a time interval automatically re-routing the lead to another of the users (column 8, lines 1-6 – the user can specify a time restraint such that only a specific number of leads are output from the search). Anderson et al does not explicitly teach the second user accepting or rejecting the lead and doesn't explicitly teach the lead being re-routed to another user after acceptance or rejection. It would have been obvious to one of ordinary skill in the art to one of ordinary skill that the customer leads not selected would be routed back through the system or left in the system for selection by the next agent. This would be beneficial for the agent in that the lead would stay within the system for selection as opposed to not being selected and discarded from the system. This would cut down the time it would take to distribute customer leads through the system to each of the agents.

As per **claim 7,** Anderson et al teaches routing leads through the system further includes routing each of a plurality of leads through the system resulting in different users being notified of different of the leads (column 3, lines 8-50 – each user of the system specifies a search request depending on the types of leads he wants to pursue, in response to the search, the matching leads are routing to him, therefore, the users (agents), all with different search requirements will be notified of different leads).

As per **claim 8,** Anderson et al teaches accepting the specifications of the rules includes accepting a specification of the set of global rules from an administrator of the system and accepting a specification of a set of rules associated with a first user from the first user who is different than the administrator of the system, whereby configuring the system is decentralized (column 4, lines 10-30 – the customer records are stored and

scored based on customer data and arranged by score prior to the user defining his search request. The scoring is performed by someone or something other than the user since the information is collected, but only parts of the information are available for viewing by the user until after he specifies acceptance of the lead).

As per **claim 9**, Anderson et al teaches accepting the lead includes accepting an electronic communication initiated by a potential customer, wherein the electronic communication includes at least some of the values of data fields associated with the lead (column 6, lines 47-67 and column 8, lines 49-67 - the customer initially reveals his or her information for input into the system wherein only part of the customer information is communicated to the agent until after the agent selects the customer lead. Then the rest of the customer information is revealed).

As per **claim 10**, Anderson et al teaches the communication of customer leads takes place over a network of computers connected by one of several methods (column 12, lines 5-14 and 23-34 – communication of the leads occurs over a network of computers connected by one of several methods). Anderson et al does not explicitly teach the communication is an electric mail message. Given the fact the Anderson et al's system is carried out over a networked computer system, it would have been obvious to one of ordinary skill in the art to communicate information through and electric mail message. Using e-mail is beneficial to users because it is much faster and more accurate than other methods of communicating information.

As per **claim 11**, Anderson et al teaches routing the first lead further includes applying a prioritization rule including deriving a priority value for the lead from values of one of more data fields associated with said lead (column 5, lines 3-19, lines 45-55 –

the customer information is scored and arranged by score so that the records having the

highest score and thus are the most relevant appear first).

As per **claim 12**, Anderson et al teaches deriving the priority value includes

computing a weighted combination of the values of the one or more data fields (column

7, lines 27-52 – the customer information is used to determine whether a customer would

be likely to purchase products, using information such as age, sex, location, etc., it is

determined the percent or score showing how likely he or she would be to indicate

interest in the product. As can be seen in figure 4, customer 1 would have a higher

probability of being interested in product A, based on his or her information).

As per **claim 13**, Anderson et al teaches deriving the priority value includes

matching the values of the one or more data fields with a record in a data value and

retrieving the priority value from the record (column 7, lines 27-52 – the customer

information is used to determine whether a customer would be likely to purchase

products, using information such as age, sex, location, etc., it is determined the percent or

score showing how likely he or she would be to indicate interest in the product. As can

be seen in figure 4, customer 1 would have a higher probability of being interested in

product A, based on his or her information).

As per **claim 14**, Anderson et al teaches routing the leads further includes

augmenting the lead including identifying information related to the lead (column 7, lines

27-65 – information such as type of business, customer demographics, product

information, etc., is included).

As per **claim 15**, Anderson et al teaches identifying information related to the lead includes accessing information about a company related to the lead (column 7, lines 53-65 – customer lead information includes the type of business).

As per **claim 16**, Anderson et al teaches identifying information related to the lead includes providing product information related to the lead (column 7, lines 27-52 – when matching the customer lead with an agent, the product information is taken into account).

As per **claim 17**, Anderson et al teaches identifying information related to lead includes providing sales material related to the lead (column 7, lines 27-65 – useful information regarding whether a sale might be possible is included in the lead, as the example states if the product is a skateboard, there are specific customers who would be more inclined to make the purchase).

As per **claim 18**, it is the software stored on a computer readable media for performing the method of claim 1 therefore the same rejection applied to claim 1 also applied to claim 18.

As per claims **19-21**, they are directed to the system for performing the routing methods of claims 1-17. Anderson et al's system takes place in a networked computer system that inherently would include storage, servers, an engine to sort the leads, and a communication channel, therefore the same rejections apply.

As per **claims 22-25**, they are directed to the system for performing the process of the method of claims 1-17. Anderson et al's system takes place over a networked computer system that inherently would include storage, servers, communication channels, etc., therefore the same rejections applied to claims 1-17 also apply to claims 22-25.

As per **claim 26**, Anderson does not explicitly teach the first user is the second user, but it is old and well known in the art of sales/customer lead management to delegate or distribute leads to the best fit agent or salesperson. Anderson teaches using rules to distribute a lead to the appropriate agent, therefore, it would have been obvious that once a lead is routed to an agent, that lead would be assigned to that same agent if the lead information matched the agent's preferences, thereby making the first user, as claimed, also the second user. For example, a customer lead with salary of 65,000 would be routed to an agent specifying a customer salary range of 50,000 to 100,000 (see Anderson column 10, lines 61-67) and therefore this lead would be assigned to that agent. This would make for a more efficient lead management system wherein all leads would be acted upon by the best-qualified agent or salesperson.

As per **claim 27**, Anderson does not explicitly teach the first user is different from the second user, but it is old and well known in the art of sales/customer lead management to delegate or distribute leads to the best fit agent or salesperson. Anderson teaches rules to distribute a lead to the appropriate agent, therefore, it would have been obvious that once a lead is routed to an agent, that lead would be assigned to a second different agent, if the first agent's preferences or rules did not match the characteristics of the customer lead. Taking the same example from the rejection of claim 26, a customer lead with a salary of 150,000 would be routed through the system and would pass by an agent with preference for salary range of 50,000 to 100,000 and be delegated to a second (or third, etc.) agent whose preference is for a range of somewhere about 100,000. This would make for a more efficient lead management system wherein all leads would be acted upon by the best-qualified agent or salesperson.

As per **claim 28**, Anderson does not explicitly teach a second set of rules which are associated with a second user to the first lead, including applying a routing rule to the lead so that lead is delegated to a third user, and notifying the third user of the lead providing values of one or more data fields. Anderson teaches rules to distribute a lead to the appropriate agent, and it is well known that companies employ several agents (users) at a time to handle customer leads. It would have been obvious to one of ordinary skill in the art at the time of the invention to route the lead information to an agent, comparing the agent's preferences to the lead information and re-routing that lead on to a second or third (or fourth) user until an agent was determined to be a good fit with the lead information. It would have been obvious to route the customer lead through the system to several users until it ultimately matches the rules set forth by the user so each an every lead would be pursued, resulting in a more efficient lead routing system.

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnna R Stimpak whose telephone number is 703-305-4566. The examiner can normally be reached on M-F 8am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 703-305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

Js
August 6, 2004

SUSANNA M. DIAZ
PRIMARY EXAMINER
AU 3623